

ABSTRACT

Public Servants – Revenue Department - Allegation of corruption of demand and acceptance of bribe against of Sri Mohd. Riazuddin Ershad, Special Revenue Inspector, Office of the Tahsildar, Musheerabad Mandal, Hyderabad District - Trapped by the Anti-Corruption Bureau Officials on 05-10-2009 - Sanction of Prosecution under the Prevention of Corruption Act, 1988 (Act 49 of 1988) – Orders – Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 1327

Dated:03-11-2010.

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ORDER:

1. Whereas, Sri Mohd. Riazuddin Ershad, S/o. Sri Ruknuddin, worked as Special Revenue Inspector in the Office of the Tahsildar, Musheerabad Mandal, Hyderabad District from 31-05-2007 to 05-10-2009 and by virtue of the post held by him, he falls under the category of "Public Servant" as defined under clause (c) of Section 2 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, Sri C.Shashidar, S/o.Sri Shankar, R/o.H.No. 1-4-35/27, Ranga Nagar, Bholakpur, Secunderabad submitted an application in the Office of the Tahsildar, Musheerabad Mandal, Hyderabad on 01-09-2009 for issuance of Legal Heir Certificate since his father late Sri C.Shankar expired on 01-02-1998. On 14-09-2009 he approached the Tahsildar, Musheerabad Mandal and enquired about the status of his application, on which the Tahsildar, Musheerabad Mandal has stated that his file was with Sri Mohd. Riazuddin Ershad, Special Revenue Inspector. On the same day. Sri C.Shashidar approached Sri Mohd. Riazuddin Ershad, Special Revenue Inspector and enquired about his Legal Heir Certificate for which Sri Mohd. Riazuddin Ershad, Special Revenue Inspector gave his Cell No.9160922907 and asked him to contact next day. Accordingly, on 15-09-2009 when Sri C.Shashidar contacted Sri Mohd. Riazuddin Earshad, Special Revenue Inspector over his cell phone from his cell phone No.9908575520 and enquired about the legal heir certificate, Sri Mohd. Riazuddin Ershad, Special Revenue Inspector demanded an amount of Rs.15,000/- as bribe for processing and to issue the legal heir certificate. When Sri C.Shashider expressed his inability to pay such a huge amount, Sri Mohd. Riazuddin Ershad, Special Revenue Inspector told him that unless an amount of Rs.15,000/- was paid, the legal heir certificate would not be issued. Again on 01-10-2009 at about 03:00 P.M., when Sri C.Shashidar contacted Sri Mohd. Riazuddin Ershad,

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Special Revenue Inspector and requested to reduce the bribe amount, he reduced the amount from Rs.15,000/- to Rs.10,000/-. Again when Sri C. Shashidar expressed his inability and requested, Sri Mohd. Riazuddin Ershad, Special Revenue Inspector told Sri C.Shashidar to pay Rs.6,000/- initially and pay the remaining amount of Rs.4,000/- after completion of the work;

3. And whereas, Sri C.Shashidar was not willing to pay the bribe amount of Rs.6,000/-, attended the Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, City Range-II, Hyderabad on 03-10-2009 at 16:30 hours and lodged a Telugu written complaint against Sri Mohd. Riazuddin Ershad, Special Revenue Inspector which was registered as a case in Cr.No.21/ACB-CR-II/2009 on 05-10-2009 after due verification and took up investigation;

4. And whereas, Sri Mohd. Riazuddin Ershad, Special Revenue Inspector, Office of the Tahsildar, Musheerabad Mandal, Hyderabad District demanded and accepted the bribe amount of Rs.6,000/- from the complainant Sri C.Shashidar on 05-10-2009 as illegal gratification other than legal remuneration at his Office to do an official favour of processing the file and issuing Legal Heir Certificate and he was trapped by the Deputy Superintendent of Police, Anti-Corruption Bureau, City Range-II, Hyderabad. The phenolphthalein test conducted on both hand fingers of Sri Mohd. Riazuddin Ershad, Special Revenue Inspector, yielded positive result and the tainted amount of Rs.6,000/- was recovered from the left side shirt pocket of Sri Mohd. Riazuddin Ershad, Special Revenue Inspector, at his instance in the presence of Mediators. The inner contact portion of left side shirt pocket from where the tainted amount was recovered when subject to phenolphthalein test also yielded positive result. The Deputy Superintendent of Police, Anti-Corruption Bureau seized the tainted amount of Rs.6,000/-, relevant documents, etc., for the purpose of further investigation;

5. And whereas, the above said acts of Sri Mohd. Riazuddin Earshad, Special Revenue Inspector, Office of the Tahsildar, Musheerabad Mandal, Hyderabad District constitute offences punishable under section 7 and sub-section (2) of section 13 read-with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 to 1988);

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove the said Sri Mohd. Riazuddin Earshad, Special Revenue Inspector, Office of the Tahsildar, Musheerabad Mandal, Hyderabad District from the Government service, after fully and carefully examining the material i.e., copies of First Information Report, pre-trap & post-trap proceedings i.e., Mediators' Reports-I & II, and final

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investigation report of the Director General, Anti-Corruption Bureau, A.P., Hyderabad placed before them in respect of the above said allegations and having applied their mind to the facts and circumstances of the case, consider that the said Sri Mohd. Riazuddin Earshad, Special Revenue Inspector, Office of the Tahsildar, Musheerabad Mandal, Hyderabad District should be prosecuted in a competent court of Law for the aforesaid offences;

7. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Mohd. Riazuddin Earshad, Special Revenue Inspector, Office of the Tahsildar, Musheerabad Mandal, Hyderabad District for the above said offences punishable under section 7 and sub-section (2) of Section 13 read-with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 to 1988) and for any other cognate offences punishable under any other provisions of law, for the time being in force, in respect of the afore-said acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.

// FORWARDED BY ORDER //

SECTION OFFICER

